

**Daniel Town Council Meeting
Monday, January 6, 2014 at 6:00 PM
Wasatch County Services Building, Room 126
55 South 500 East, Heber City, UT**

Quorum present: Council members Eric Bunker, Kasey Bateman and Chip Turner were present at 6:00 PM when Mayor Michael Duggin called the meeting to order. Council member Jon Blotter arrived later in the meeting. Recorder Merry Duggin was present to record the minutes. Treasurer Sherri Price was also present.

Members of the public in attendance: Lambert Deegan, Ryan Taylor, Sandy Plummer, Bill Fairbanks, John Glodowski, Lynne Shindurling, Tracy Turner, Lance Turner Sr, Bridger Turner, Karli Turner, Heidi Bailey, Wayne Bailey, Kipp Bangerter, Jay Price, Gary Walton, Kim Norris, Barbara Walton, Jalayne Bassett, Pam Skinner.

**1) MEETING CALLED TO ORDER BY MAYOR MICHAEL DUGGIN.
PRESENTATION OF AWARDS BY MAYOR DUGGIN.**

Mayor Duggin asked Lambert Deegan to join him at the front of the room and surprised Mr. Deegan with a framed Certificate of Special Recognition for his civic services to the Town of Daniel. He was also presented with a copy of the original Articles of Incorporation for the Town as Mr. Deegan was a member of the original Town Council and assisted in the incorporation in 2005.

**2) SWEARING IN OF NEW TOWN OFFICERS. CONFLICT OF INTEREST
STATEMENTS BY NEW OFFICERS. MAYOR TURNER APPOINTS A
RECORDER AND DEPUTY RECORDER.**

Recorder Merry Duggin administered the oath of office to Mayor-elect Chip Turner and Council members Kasey Bateman and John Glodowski. These new officers read their conflict of interest statements and took their seats on the Council. After Mayor Turner took the chair of the meeting, he graciously thanked Mayor Duggin for his service to the Town. Mayor Duggin congratulated everyone, and after shaking hands with the Council members, left the meeting.

3) PUBLIC COMMENT CONCERNING ANY ISSUE NOT ON THE AGENDA

Mr. Kim Norris requested that the Town donate funds for a retirement party for Mayor Duggin to be held on January 22, 2014 at the Dock of the Bay restaurant. Mayor Turner said that he would consider the request.

4) BUSINESS LICENSE APPLICANTS

No new applicants were present at the meeting.

5) APPROVAL OF MINUTES FOR DECEMBER 2, 2013 MEETING.

Council member Bateman moved to approve the minutes as presented. Council member Glodowski seconded the motion, and the Council voted to approve the minutes by the following vote: Turner, aye; Bateman, aye; Glodowski, aye; Bunker, aye.

Mayor Turner moved to item 7 on the agenda.

7) MIKE PETERSON WITH A PRESENTATION FOR A COMMERCIAL DEVELOPMENT ON HIS PROPERTY ON HWY 40.

Mr. Peterson was not present, and Mayor Turner moved to the next item on the agenda.

8) REALTOR REPRESENTING THE HIRAM PLUMMER PROPERTY ON MILL RD. REQUESTING INFORMATION ABOUT THE BUILDABLE STATUS OF THE LOTS.

Realtor Jalayne Bassett representing the Plummer property at 3577 S. Mill Rd. presented a printed handout to each Council member comprised of documents concerning the property. She indicated that the property was subdivided in 1986, and the subdivision was recorded in 1996. She felt the property had been properly subdivided under the law of Wasatch County and asked for approval from the Council to sell the property as 4 individual lots.

Mr. Bill Fairbanks spoke as a long time friend of the Plummer family. He believed that the property was properly subdivided and recorded under the Wasatch County ordinances prior to the incorporation of Daniel. The family is very frustrated as prospective buyers have been scared away due to “frustration in dealing with the Town”. He requested that the Council vote at this meeting to allow the family to move forward.

Council member Bunker stated that the handout he had just received included the information that the Planning Commission had requested to view, and he wanted to take the issue to the Planning Commission with the new information and allow the Commission to do its job and follow the proper procedures.

Council member Bateman asked if the Council would be setting a precedent for other Council decisions about subdivisions created by Wasatch County with this vote.

Mayor Turner responded that he believed that there are other situations in the Town and felt that each should be decided on a case-by-case basis. He went on to state that it would be hard for the Council to make a decision without a recommendation from the Planning Commission. He asked for patience from the Plummer representatives and asked that the issue be placed on the Planning Commission agenda for January 15. He hoped that this issue could be resolved in a short time.

9) PLANNING DEPARTMENT REPORT

Council member Bunker reported that he had followed up on a complaint on the former Smith property located on Daniels Rd. He spoke to the current residents of the home and reported that the car that had been on blocks has now been placed on the ground. This was a safety issue. We are still waiting to hear from the Heber City manager and attorney as to whether the exit from the property onto Heber City’s 2370 S street may be legally blocked. The residents are currently using this as a driveway.

A couple of agricultural buildings have been built but not to the plan submitted to the Town Planning Department. This issue may come before the Council for legal action if it cannot be resolved with the owners.

APPOINTMENT OF PLANNING COMMISSION MEMBERS

Mayor Turner read Daniel Resolution DR 2014-01-06 appointing Blaine Smith, Kim Norris, and Eric Bunker to the Planning Commission for a 4 year term Jan. 2014-Jan 2018. Council member Glodowski moved to approve the resolution. Council member Bateman seconded the motion. The Council adopted the resolution by the following vote: Turner, aye; Bateman, aye; Glodowski, aye; Bunker, nay.

10) DANIEL MUNICIPAL WATER ISSUES AS NECESSARY. POSSIBLE RESOLUTION REGARDING OVERUSE CHARGES, LATE FEES AND INTEREST CHARGES.

No resolution was proposed at this meeting, but Mayor Turner requested that the interest and late payment fee issue be placed on the February 3 agenda.

Mr. Kim Norris reported that a couple of the radio meters are not working properly. Council member Bunker requested a list of the customers who are behind on payment of their accounts to be available at the next meeting of the Council and suggested that the Recorder should notice a possible closed session to discuss this issue.

Mr. Chris Anderson is working on a computer program to fit our system needs. The goal is to automate as many processes as possible and hopes to build something into the future Town website. He hopes to have the program ready to test by the February meter reading. Paperless billing was discussed, but it would cost the Town 3-4% in fees for each transaction to provide this service to the residents. Also, we have some residents who might not be comfortable with the change.

Mr. Anderson disclosed that his cost for the work would be \$2,300 which would include the first year's maintenance, and he stated that the subsequent fees for maintenance should not be too significant. This is an issue that is carrying over from the administration of Mayor Duggin.

Mayor Turner asked for a motion from the Council to approve that the transaction should continue into his term as mayor. Council member Bateman moved to approve \$2,300 for Mr. Anderson's proposal for updating programming and automation for the culinary water system. Council member Glodowski seconded the motion, and the motion passed with the following vote: Turner, aye; Bateman, aye; Bunker, aye; Glodowski, aye..

Council member Blotter arrived at 7:08.

11) RECORDER'S OFFICE: WARRANT APPROVAL, ANNOUNCEMENTS, QUARTERLY UPDATE ON BUDGET AND EXPENDITURES, OPEN AND PUBLIC MEETING TRAINING (POSSIBLE).

Mayor Turner took this time to appoint Merry Duggin as Recorder for a short term transition period and appointed Lynne Shindurling as the Deputy Recorder until her training is complete. At that time, Ms. Duggin will resign and Ms. Shindurling will become the Recorder.

Ms. Duggin presented the warrants. *Council member Glodowski moved to approve the warrants as presented. Council member Bateman seconded the motion.*

The warrants were approved by the following vote: Turner, aye; Bateman, aye; Bunker, aye; Glodowski, aye; Blotter, abstain.

Council member Bunker asked to receive a copy of the warrant from Wasatch County for snowplow services.

Ms. Duggin presented the Quarterly update on the 2014 Budget as required by law. Revenues seem to be a little higher than predicted by the adopted 2014 budget, and by the end of December 2013, the expenses had been slightly less than predicted for the year.

Open and Public Meeting Training was postponed until a later meeting.

Mayor Turner moved back to item number 6 which he had skipped earlier in the meeting.

6) POSSIBLE RECONSIDERATION OF ZONE CHANGE FOR PROPERTY OWNED BY HARRY WEYANDT ON 3000 S AND HWY 189 FROM COMMERCIAL TO RA 5. CONSIDERATION OF DO 2014-01-06

This issue was first considered at the December 2, 2013 meeting.

Council member Blotter moved to reconsider the rezone issue of the Harry Weyandt property. Council member Glodowski seconded the motion. The motion for reconsideration passed by the following vote: Bateman, aye; Glodowski, aye; Bunker, aye; Blotter, aye; Turner, aye.

Mayor Turner read DANIEL ORDINANCE DO 2014-01-06 which would approve the rezone of the Weyandt property from Commercial to RA 5. He asked if there was any discussion. When no one responded, Council member Blotter moved to approve the ordinance. This was seconded by Council member Bunker. Mayor Turner then asked for a vote, and the ordinance was approved by the following vote: Blotter, aye; Bunker, aye; Glodowski, aye; Turner, aye; Bateman, nay.

County Council members Jay Price and Kipp Bangerter informed the Council that the County is reorganizing the County Board of Health and asked the Daniel Town Council to recommend a person from the Town with health care experience who would be willing to serve on this Board for a 2 to 4 year term

12) ADJOURN

Council member Glodowski moved to adjourn. Council member Bunker seconded the motion, and the Council voted unanimously to adjourn. Mayor Turner adjourned the meeting at 7:51 PM.

**Merry Duggin,
Recorder**